

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven L. Nichols, Registration No. 40,326, on May 20, 2009.

2. Claims 1, 2, 13, and 14 are amended, as presented below, to address any potential issues of 35 U.S.C. 112, second paragraph, and to place the claims in a condition for allowance.

**IN THE CLAIMS**

Claims 1, 2, 13 and 14 have been amended as follows:

Claim 1 (currently amended),

At line 10, after "converting said", please insert identified.

Claim 2 (currently amended),

At line 2, after "instructions" please insert each;

At line 2, after "said control part" please insert of said source instruction;

At line 3, after "to identify" please insert said source instruction.

Claim 13 (currently amended),

At line 14, after "convert said" please insert identified.

Claim 14 (currently amended),

At line 2, after "instructions" please insert each;

At line 3, after "control part" please insert of said source instruction;

At line 3, after "to identify" please insert said source instruction.

-- End --

***Allowable Subject Matter***

3. Claims 1-28, and 30-33 are allowed.
4. The following is an examiner's statement of reasons for allowance: The prior art does not teach or reasonably suggest , in the combinations recited in independent claim 1 and similar claims 13, 25 and 33, translating binary code instructions from a source format to a target format for processing by a target processor comprising the steps of converting identified source instructions into a source intermediate data structure having a plurality of members and mapping said members in said source intermediate data

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structure to corresponding members in a target intermediate data structure according to said template, as reflected in Applicant's arguments (see Appeal Brief, pages 16-17).

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHENECA P. SMITH whose telephone number is (571)270-1651. The examiner can normally be reached on Monday-Friday 7:00-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Cheneca P Smith/  
Examiner, Art Unit 2192  
5/21/2009

/Tuan Q. Dam/  
Supervisory Patent Examiner, Art Unit 2192